



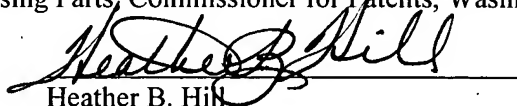
2B MP # V  
ATTORNEY'S DOCKET NO. B00801/70237 (ERG/MXA)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: M. Wessels and C. Cywes  
Serial No: 10/005,200  
Confirmation No.: 8283  
Filed: December 5, 2001  
For: PREVENTION AND TREATMENT OF STREPTOCOCCAL AND STAPHYLOCOCCAL INFECTION  
Examiner: Unknown  
Art Unit: 1646

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231 on the 25<sup>th</sup> day of September 2002.

  
Heather B. Hill

Box Missing Parts  
COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Sir:

TRANSMITTAL

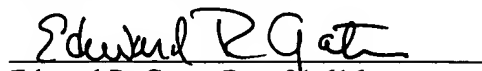
Transmitted herewith are the following:

- ☒ Copy of the Notice to File Missing Parts dated April 11, 2002
- ☒ Response to the Notice to File Missing Parts dated April 11, 2002
- ☒ Calculation Fee Sheet
- ☒ Petition for Four Month Extension of Time
- ☒ Executed Declaration of Michael R. Wessels and Colette Cywes
- ☒ Preliminary Amendment
- ☒ Information Disclosure Statement and PTO-1449 with cited references
- ☒ Check for \$2,151.00
- ☒ Return Receipt Postcard
- ☒ Certificate of Mailing under 37 C.F.R. §1.8(a)

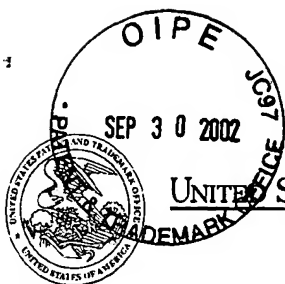
A check for \$2,151.00 which covers the \$720.00 Extension of Time, \$370.00 basic filing fee, \$65.00 surcharge for the late filing of the oath, and the \$996.00 excess claim fee, is enclosed herewith. If the enclosed amount is determined to be insufficient, the balance may be charged to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617)720-3500, x232.

Respectfully Submitted,

  
Edward R. Gates, Reg. 31,616  
WOLF, GREENFIELD & SACKS, P.C.  
600 Atlantic Avenue  
Boston, MA 02210

B00801/70237 (ERG/MXA)  
Date: September 24, 2002  
x11/11/02



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/005,200	12/05/2001	Michael R. Wessels	B0801/7237

CONFIRMATION NO. 8283

## FORMALITIES LETTER



\*OC000000007848980\*

Edward R. Gates  
Wolf, Greenfield & Sacks, P.C.  
Federal Reserve Plaza  
600 Atlantic Avenue  
Boston, MA 02210

Date Mailed: 04/11/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$6592. 10/01/2002 BNGUYEN1 00000019 10005200
 

▪ \$4716 for 262 total claims over 20.	01 FC:201	370.00 OP
▪ \$1596 for 19 independent claims over 3 .	02 FC:202	798.00 OP
▪ \$280 for multiple dependent claim surcharge.	03 FC:203	198.00 OP
	04 FC:205	65.00 OP
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 7462.**
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice **MUST** be returned with the reply.*



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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: M. Wessels and C. Cywes  
Serial No: 10/005,200  
Confirmation No.: 8283  
Filed: December 5, 2001  
For: PREVENTION AND TREATMENT OF STREPTOCOCCAL AND  
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Examiner: Unknown  
Art Unit: 1646

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Heather B. Hill

Box Missing Parts  
COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Sir:

**RESPONSE TO THE NOTICE TO FILE MISSING PARTS**

This is in response to the Notice to File Missing Parts of Non-Provisional Patent Application, mailed from the United States Patent and Trademark Office on April 11, 2002.

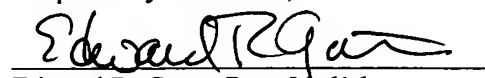
Attached is a check for \$2,151.00 which covers the \$720.00 Extension of Time, \$370.00 basic filing fee, \$65.00 surcharge for the late filing of the oath, and the \$996.00 excess claim fee, is enclosed herewith. If the enclosed amount is determined to be insufficient, the balance may be charged to the account of the undersigned, Deposit Account No. 23/2825.

With regards to the paragraph regarding a Sequence Listing, Applicants respectfully state that there are no sequences in the above-referenced application and that this application, as it stands, complies with sequence listing rules.

No additional fees are believed to be due. If the authorized amount is determined to be insufficient, the balance may be charged to the account of the undersigned, Deposit Account No. 23/2825.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617)720-3500, x232.

Respectfully Submitted,

  
Edward R. Gates, Reg. 31,616  
WOLF, GREENFIELD & SACKS, P.C.  
600 Atlantic Avenue  
Boston, MA 02210

B00801/70237 (ERG/MXA)  
Date: September 24, 2002  
x11/11/02

643073



Docket No. B00801/70237 (ERG/MXA)

Inventor(s): M. Wessels and C. Cywes

Serial No: 10/005,200

Confirmation No.: 8283

Filed: December 5, 2001

CHECK BOX, if applicable:

For: PREVENTION AND TREATMENT OF STREPTOCOCCAL  
AND STAPHYLOCOCCAL INFECTION

☐ DUPLICATE

### Fee Calculation Sheet

CLAIMS	FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
	TOTAL CLAIMS (37 CFR 1.16(c))	42-20=	22x	\$ 18.00	= \$ 396.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	22-3=	19 x	\$ 84.00	= \$ 1,596.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) +			\$ 280.00	
				BASIC FEE (37 CFR 1.16(a))	\$ 740.00
	Fee for Petition for Extension of Time (if any)				\$ 1,440.00
	Other Fees (if any)				\$ 130.00
	Total of above Calculations =				\$ 4,302.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28)				\$ 2151.00
	Assignment Recordation Fee (if any)				\$ 0.00
	TOTAL =				\$ 2,151.00

1. A check in the amount of \$2,151.00 is enclosed.

#### General Authorization to Charge Deposit Account and General Request for Extension of Time

2. a. ☒ If the filing of any paper in this application necessitates the payment of a fee under 37 CFR §§ ☒ 1.16 or ☒ 1.17, and the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.
- b. ☐ The applicant hereby revokes any prior authorization to charge a fee due under 37 CFR §§ ☐ 1.16 ☐ 1.17 or ☐ 1.18.
3. If the filing of any paper in this application necessitates an extension of time under 37 CFR § 1.136(a), the applicant hereby requests such extension of time. If the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.

Edward R. Gates, Reg. No. 31,616  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, MA 02210-2211  
(617) 720-3500

Docket No. B00801/70237 (ERG/MXA)  
Date: September 17, 2002